

**441—30.3(222) Certification of settlement.**

**30.3(1) Certification.** At the time of a person's application for admission to a resource center, the board of supervisors shall certify through the central point of coordination process that the legal settlement of the person applying for admission is one of the following:

- a. In the county from which the application is received or where the court is located;
- b. In another county in Iowa;
- c. In another state or in a foreign country; or
- d. Unknown or no legal settlement.

**30.3(2) Supporting evidence.**

a. If legal settlement is certified in the county of admission, no supporting evidence is necessary.

b. If legal settlement is certified in another county, the certification shall be sent to that county as described in Iowa Code section 222.63. A copy of the evidence supporting the determination, as described in paragraphs "d" and "e," shall accompany the certification.

c. If the central point of coordination for the admitting county finds that the person has not acquired legal settlement in an Iowa county, the admitting county shall send the certification as described in Iowa Code section 222.64 to the Administrator, DHS Division of Fiscal Management, 1305 E. Walnut Street, Des Moines, Iowa 50319-0114. The certification shall be accompanied by a copy of the evidence supporting the determination, as described in paragraphs "d," "e," and "f."

d. The supporting evidence shall include all available information used to make a determination of legal settlement as defined in Iowa Code sections 252.16 and 252.17. The evidence shall include, but need not be limited to:

(1) The current and former addresses of the person, including the dates for the period when the person resided at each address;

(2) The person's current services and service history, including the name and location of the provider and the dates when services were received;

(3) The history of addresses and services received by the person's custodial parent or guardian when the person takes the legal settlement of the custodial parent or guardian as defined in Iowa Code section 252.16;

(4) Copies of any court orders affecting a minor's custody or guardianship; and

(5) Any other information needed to make a determination of legal settlement.

e. Copies of the following forms may be submitted as supportive evidence, if properly completed:

(1) Form 470-3439, Legal Settlement Worksheet.

(2) A county central point of coordination application.

(3) Form 470-4160, Notice of Court Action on Mental Health Hospitalization.

f. If a county asserts that a person's legal settlement is unknown so that the person is deemed a state case, the county that makes the assertion shall provide documentation of all attempts made by the county to ascertain the facts necessary to make a legal settlement determination. Documentation shall include:

(1) Information about each person contacted during the investigation, including the person's name, address, telephone number, and E-mail address if available;

(2) The information obtained during the investigation; and

(3) Identification of the person conducting the investigation.

This rule is intended to implement Iowa Code sections 222.50 and 222.60 through 222.79.